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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

First Inventor: Leo Pedlow

Filed: 03/16/2004

Serial No.: 10/802,007

Confirmation No.: 3328

Art Unit: 2131

Examiner: Unknown

Docket Number: SNY-T5712.02

Title: Dynamic Composition of Pre-Encrypted Video on Demand Content

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The undersigned submits herewith patents, publications or other information (enclosed herewith and/or listed on the enclosed list of references form) of which he is aware, which he believes is relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and any appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement is submitted:

☒ Under 37 CFR §1.97(b).

(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ Under 37 CFR §1.97(c).

☐ Below is a statement under 37 CFR §1.97(e), or

☐ An IDS submission fee under 37 CFR §1.17(p).

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first. Either a statement under 37 CFR 1.97(e) or an IDS submission fee is required.)

☐ Under 37 CFR §1.97(d).

☐ Below is a statement under 37 CFR §1.97(e), and

☐ Applicant(s) hereby petitions under 37 CFR §1.97(d)(2) for consideration of this Information Disclosure Statement, and

☐ A petition fee set forth in 37 CFR §1.17(i) is paid as indicated below.

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

The undersigned hereby certifies under 37 CFR §1.97(e) that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- ☐ No item of information contained in the Information Disclosure Statement
 - was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR §1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

A concise explanation of relevance of the items listed on the attached form:

- ☒ Additional information is provided in an appendix to this communication.
- ☐ Appears in the body of the application.
- ☐ Is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.
- ☐ Is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or "material" to this invention or any application for patent for this invention.

In accordance with 37 CFR §1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other information that may be material as defined in 37 CFR §1.56 exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.97 and §1.98 and MPEP §609. The Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.



The fee required for this Information Disclosure Statement is calculated below:

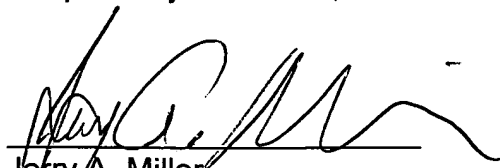
Fee under 37 CFR §1.17(p)	(\$180)	\$
Fee under 37 CFR §1.17(i)	(\$130)	\$
TOTAL		\$ 0.00

- ☐ A check for the above fees is enclosed.
- ☐ Please the above fees to my credit card. See the enclosed credit card charge authorization form.
- ☒ The commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to my Deposit Account No. 50-1267.

CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement including associated List of References, Copies of references, Appendix, list of Cases handled by Miller Patent Services, list of Cases handled by Blakely Sokoloff Taylor & Zafman, list of Cases handled by Rogitz & Associates, and fee (if required) is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date executed below.

Respectfully submitted,


Jerry A. Miller
Registration No. 30,779

Dated: 11/1/2004

Please Send Correspondence to:

CUSTOMER NUMBER 24337

Miller Patent Services
2500 Dockery Lane
Raleigh, NC 27606
Phone: (919)-816-9981
Fax: (919)-816-9982



APPENDIX TO IDS

This IDS is being submitted in order to consolidate all references known to the Applicant which might be relevant to the present application. Submission of these references does not constitute any admission that any reference is indeed prior art in this application, since the same IDS is being submitted in multiple applications with multiple filing dates.

The present application relates to a technology that was developed by Applicant and his (their) Assignee as a part of various development programs relating to a set of commercial products known as PASSAGE™. This family of products and patent applications relate generally to technologies involving various aspects of or associated with encryption and decryption, selective encryption and decryption, multiple selective encryption and decryption, Digital Rights Management, PID mapping or remapping, trick play, headend storage strategies and content substitution. The signatory of this IDS is currently handling prosecution of 37 such applications, and will be submitting identical IDS's in each application. The undersigned has recently been made aware that two other firms are also handling prosecution of a number of applications relating to these or related technologies. Accordingly, the undersigned has been in contact with these firms to determine what information is known to relate to the applications that those firms are handling. This consolidated IDS is believed to incorporate all of the references known to the undersigned, Applicant(s), the assignee and supplied by these firms.

As a result, a large body of information is being brought forward and consolidated into this IDS. Furthermore, this IDS consolidates references that might have been submitted in earlier IDS's or brought forward in foreign search reports in many of the 37 applications. In view of the recent rule changes which affects whether or not a submission will be made available to the Examiner electronically, the continued automation advances at the USPTO, and the large number of references that have been deemed by this firm, the Assignee, the Inventor(s) or the other two firms to be potentially relevant to this technology, it is believed that it may be advantageous to the Examiner to submit this consolidated IDS at this point to assure that all possible references are made available

APPENDIX TO IDS

electronically to the Examiner in this application. While the undersigned regrets that such a large number of references are involved, he and the Assignee feel that the most conservative way to assure compliance with the duty of disclosure is to submit all references in all applications.

In addition to the U.S. Patent and Patent Application references that are being submitted herewith, numerous non-patent references and foreign patent references are also being submitted. Most of these references are available to the undersigned in electronic form and will be gladly supplied to the Examiner upon request. The undersigned is unaware of any mechanism provided by the rules for supplying such information electronically, or else they would have been supplied in this manner.

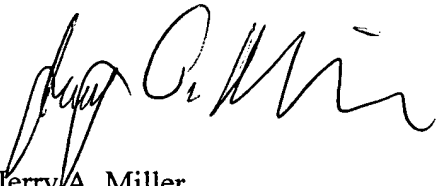
The undersigned notes that in many instances, non-U.S. patent documents may have been previously submitted and are thus not being submitted herewith. Accordingly, it is requested that the Examiner look to the paper file for any such references that appear to be missing. Conversely, redundant copies may be submitted herewith in certain cases, in which case a redundant copy may be discarded at the USPTO. If the Examiner is unable to locate any non-U.S. patent document, it is respectfully requested that he or she contact the undersigned to obtain a copy. The production of 37 IDS documents having such a large number of references is a very large job that could have possibly resulted in an inadvertent oversight.

The undersigned wishes to note that, while certain of the references submitted herewith have been personally reviewed to a varying extent, the undersigned has not reviewed a large percentage of the references submitted herewith and submits them on the basis of instructions from the Applicant(s), assignee, or as a result of a foreign search report or as a result of appearance on the list of references obtained from the other two firms filing related applications. Accordingly, the undersigned, in many instances has no direct knowledge at this time as to the relative relevance of any particular reference. These references are therefore being submitted in date order without such review in order to attempt to put them before the Examiner at the earliest possible time, and hopefully before any action on the merits in most instances.

Also in the interest of full disclosure, the undersigned submits herewith a complete listing of all known applications relating to these technologies including those applications being processed by this firm as well as those being processed by the other two firms. The undersigned has no direct knowledge of the content of the applications filed by the other firms. The identifying information for these applications is as it was supplied by the other two firms.

The undersigned respectfully requests that the Examiner of this application coordinate with the Examiners on other applications to assure that the best art is considered in examination of this application. The undersigned will be more than happy to assist the Examiner in any way possible and invites the Examiner to contact him at the telephone number below to discuss this case and it's relationship to the other applications or answer any other questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jerry A. Miller". The signature is fluid and cursive, with the first name "Jerry" being more prominent and the last name "Miller" following in a similar style.

Jerry A. Miller

Reg. No. 30779

Dated October 29, 2004

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Cases handled by Miller Patent Services

Docket No.	Filing Date	Serial No.	Title
SNY-R4646.01	1/2/2002	10/038,217	Critical Packet Partial Encryption
SNY-R4646.02	1/2/2002	10/038,032	Time Division Partial Encryption
SNY-R4646.03	1/2/2002	10/037,914	Elementary Stream Partial Encryption
SNY-R4646.04	1/2/2002	10/037,499	Partial Encryption and PID Mapping
SNY-R4646.05	1/2/2002	10/037,498	Decoding and Decryption of Partially Encrypted Information
SNY-R4854.01	10/18/2002	10/273,905	Video Slice and Active Region Based Dual Partial Encryption
SNY-R4855.01	12/13/2002	10/319,133	Selective Encryption for Video on Demand
SNY-R4903.01	10/18/2002	10/273,875	Encryption and Content Control in a Digital Broadcast System
SNY-R4976	2/27/2002	10/084,106	Reconstitution of Program Streams Split Across Multiple Program Identifiers
SNY-S5064.01	10/18/2002	10/273,903	Star Pattern Partial Encryption
SNY-S5065.01	10/18/2002	10/274,084	Slice Mask and Moat Pattern Partial Encryption
SNY-S5066.01	12/13/2002	10/319,066	Content Replacement by PID Mapping
SNY-S5154.01	11/13/2002	10/293,761	Upgrading of Encryption
SNY-S5156.01	12/13/2002	10/318,782	Content Distribution for Multiple Digital Rights Management
SNY-S5157.01	12/13/2002	10/319,169	Selective Encryption to Enable Multiple Decryption Keys
SNY-S5158.01	10/18/2002	10/273,904	Multiple Partial Encryption Using Retuning
SNY-S5159.01	12/13/2002 Abandoned	10/319,096	Selective Encryption to Enable Trick Play
SNY-S5159.02	3/19/2003	10/391,940	Selective Encryption to Enable Trick Play
SNY-S5161.01	11/25/2002	10/303,594	Progressive Video Refresh Slice Detection
SNY-S5162.01	10/18/2002	10/274,019	Video Scene Change Detection
SNY-S5262	3/20/2003	10/393,324	Auxiliary Program Association Table
SNY-T5343	2/24/2003	10/373,479	PID Filter Based Network Routing
SNY-T5462.02	1/29/2004	10/767,421	Content Scrambling With Minimal Impact on Legacy Devices



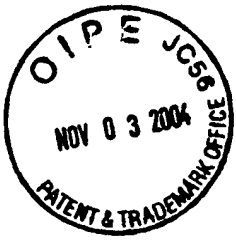
Cases handled by Miller Patent Services (con't)

SNY-T5501.01	9/15/2003	10/662,585	Decryption System
SNY-T5503.01	9/22/2003	10/667,614	Modifying Content Rating
SNY-T5574	8/5/2003	10/634,546	Variable Perspective View of Video Images
SNY-T5707.02	4/13/2004	10/822,891	Macro-Block Based Content Replacement by PID Mapping
SNY-T5708.01	1/23/2004	10/764,202	Re-Encrypted Delivery of Video On Demand Content
SNY-T5709.02	4/21/2004	10/828,737	Batch Mode Session-based Encryption of Video on Demand Content
SNY-T5710.01	1/23/2004	10/764,011	Bi-Directional Indices for Trick Mode Video-on-Demand
SNY-T5711.02	3/16/2004	10/802,084	Hybrid Storage of Video on Demand Content
SNY-T5712.02	3/16/2004	10/802,007	Dynamic Composition of Pre-Encrypted Video on Demand Content
SNY-T5714.02	2/9/2004	10/774,871	Cablecard with Content Manipulation
SNY-T5717.02	3/16/2004	10/802,008	Preparation of Content for Multiple Conditional Access Methods in Video on Demand
SNY-T5775.02	4/13/2004	10/823,431	Composite Session-Based Encryption of Video on Demand
SNY-T5782.02	10/13/2004	10/964,267	Multiple Selective Encryption with DRM



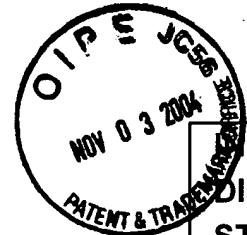
Cases handled by Blakely Sokoloff Taylor & Zafman

Docket No.	Filing Date	Serial No.	Title
080398.P252C	1/22/2004	10/763,865	Method And Apparatus For Securing Control Words
080398.P252X	3/22/2003	10/387,163	Method and Apparatus for Protecting the Transfer of Data
080398.P252X2	3/31/2004	10/815,371	IP Delivery of Secure Digital Content
080398.P252X3	1/23/2004	10/764,682	System, Method and Apparatus for Secure Digital Content Transmission
080398.P558	3/12/2003	10/388,002	Mechanism for Protecting the Transfer of Digital Content
080398.P558	3/12/2003	10/690,192	Descrambler
0803098.P558D	10/5/2003	10/691,170	Multi-Process



Cases handled by Rogitz & Associates

Docket No.	Filing Date	Serial No.	Title
50S5305.01	3/31/2003	10/403,834	System and Method for Partially Encrypted Multimedia System



INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 1 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

U.S. PATENT DOCUMENTS					
Exam. Init.	Document Number	Issue/Pub. Date	Name	Class	Filing Date
	3,852,519	12/3/1974	Court		10/20/1972
	4,381,519	4/26/1983	Wilkinson et al.		9/14/1981
	4,419,693	12/6/1983	Wilkinson.		3/30/1981
	4,521,853	6/4/1985	Gutttag		6/30/1982
	4,634,808	1/6/1987	Moerder		3/15/1984
	4,700,387	10/13/1987	Hirata		7/5/1985
	4,703,351	10/27/1987	Kondo		8/22/1985
	4,703,352	10/27/1987	Kondo		12/17/1985
	4,710,811	12/1/1987	Kondo		12/17/1985
	4,722,003	1/26/1988	Kondo		11/19/1986
	4,739,510	4/19/1988	Jeffers et al.		4/2/1987
	4,772,947	9/20/1988	Kondo		12/17/1986
	4,785,361	11/15/1988	Brotby		12/16/1986
	4,788,589	11/29/1988	Kondo		11/25/1986
	4,815,078	3/21/1989	Shimura		3/31/1987
	4,845,560	7/4/1989	Kondo et al.		5/18/1988
	4,887,296	12/12/1989	Horne		10/16/1987
	4,890,161	12/26/1989	Kondo		1/30/1989
	4,924,310	5/8/1990	von Brandt		8/22/1989
	4,944,006	7/24/1990	Citta et al.		4/25/1989
	4,953,023	8/28/1990	Kondo		9/15/1989
	4,995,080	2/19/1991	Bestler et al.		7/16/1990
	5,018,197	5/21/1991	Jones et al.		7/30/1990
	5,023,710	6/11/1991	Kondo et al.		10/24/1990

Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 2 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

	5,122,873	6/16/1992	Golin, Stuart J.		2/19/1991
	5,138,659	8/11/1992	Kelkar et al.		5/2/1991
	5,142,537	8/25/1992	Kutner et al.		2/2/1990
	5,144,662	9/1/1992	Welmer		12/21/1990
	5,159,452	10/27/1992	Kinoshita et al.		10/22/1990
	5,196,931	3/23/1993	Kondo		12/23/1991
	5,208,816	5/4/1993	Seshardi et al.		3/11/1992
	5,237,424	8/17/1993	Nishino et al.		7/26/1991
	5,241,381	8/31/1993	Kondo		8/16/1991
	5,247,575	9/21/1993	Sprague et al.		4/24/1992
	5,258,835	11/2/1993	Kato		7/10/1991
	5,325,432	6/28/1994	Gardeck et al.		2/4/1993
	5,327,502	7/5/1994	Katata		1/16/1992
	5,359,694	10/25/1994	Concordel		7/27/1992
	5,379,072	1/3/1995	Kondo		12/8/1992
	5,398,078	3/14/1995	Masuda et al.		10/30/1992
	5,416,651	5/16/1995	Uetake et al.		10/30/1991
	5,416,847	5/16/1995	Boze		2/12/1993
	5,420,866	5/30/1995	Wasilewski		3/29/1994
	5,428,403	6/27/1995	Andrew et al.		9/30/1992
	5,434,716	7/18/1995	Sugiyama et al.		2/2/1994
	5,438,369	8/1/1995	Citta et al.		8/17/1992
	5,469,216	11/21/1995	Takahashi et al.		11/30/1994
	5,471,501	11/28/1995	Parr et al.		8/13/1993
	5,473,692	12/5/1995	Davis		9/7/1994
	5,481,554	1/2/1996	Kondo		8/31/1993
	5,481,627	1/2/1996	Kim		8/31/1994

Examiner:

Date:

INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 3 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

	5,485,577	1/16/1996	Eyer et al.		12/16/1994
	5,528,608	6/18/1996	Shimizume		4/7/1995
	5,535,276	7/9/1996	Ganesan		11/9/1994
	5,539,823	7/23/1996	Martin		7/24/1994
	5,539,828	7/23/1996	Davis		5/31/1994
	5,555,305	9/10/1996	Robinson et al.		6/13/1994
	5,561,713	10/1/1996	Suh		7/18/1994
	5,568,552	10/22/1996	Davis		10/22/1996
	5,574,787	11/12/1996	Ryan		7/25/1994
	5,582,470	12/10/1996	Yu		9/12/1995
	5,583,576	12/10/1996	Perlman et al.		9/11/1995
	5,598,214	1/28/1997	Kondo et al.		9/28/1994
	5,600,721	2/4/1997	Kitazato		7/27/1994
	5,606,359	2/25/1997	Youden et al.		6/30/1994
	5,608,448	3/4/1997	Smoral et al.		4/10/1995
	5,615,265	3/25/1997	Coutrot		12/20/1994
	5,617,333	4/1/1997	Oyamada et al.		11/23/1994
	5,625,715	4/29/1997	Trew et al.		10/21/1993
	5,629,981	5/13/1997	Nerlikar		7/29/1994
	5,652,795	7/29/1997	Eillon et al.		11/13/1995
	5,663,764	9/2/1997	Kondo et al.		7/19/1995
	5,666,293	9/9/1997	Metz et al.		7/3/1995
	5,703,889	12/30/1997	Shimoda et al.		12/14/1994
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	5,742,680	4/21/1998	Wilson		11/13/1995
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Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 4 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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	5,751,743	5/12/1998	Takizawa		10/1/1992
	5,751,813	5/12/1998	Dorenbos		4/29/1996
	5,754,650	5/19/1998	Katznelson		5/3/1995
	5,757,417	5/26/1998	Aras et al.		9/23/1997
	5,757,909	5/26/1998	Park		11/22/1995
	5,768,539	6/16/1998	Metz et al.		12/17/1996
	5,796,786	8/18/1998	Lee		10/18/1996
	5,796,829	8/18/1998	Newby et al.		6/24/1996
	5,796,840	8/18/1998	Davis		10/4/1995
	5,802,176	9/1/1998	Audebert		3/22/1996
	5,805,700	9/8/1998	Nardone et al.		10/15/1996
	5,805,712	9/8/1998	Davis		12/29/1995
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	5,809,147	9/15/1998	De Lange et al.		8/14/1997
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	5,852,290	12/22/1998	Chaney		1/30/1997
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	5,922,048	7/13/1999	Emura		12/11/1998
	5,933,500	8/3/1999	Blatter et al.		11/27/1996

Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 5 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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	5,949,881	9/7/1999	Davis		12/4/1995
	5,973,679	10/26/1999	Abbott et al.		3/31/1997
	5,999,622	12/7/1999	Yasukawa et al.		11/22/1995
	5,999,698	12/7/1999	Nakai et al.		9/30/1977
	6,005,561	12/21/1999	Hawkins, et al.		12/14/1994
	6,011,849	1/4/2000	Orrin		8/28/1997
	6,012,144	1/4/2000	Pickett		10/1/1997
	6,021,199	2/1/2000	Ishibashi		10/14/1997
	6,021,201	2/1/2000	Bakhle et al.		1/7/1997
	6,028,932	2/22/2000	Park		4/1/1998
	6,049,613	4/11/2000	Jakobsson		1/13/1998
	6,055,314	4/25/2000	Spies et al.		3/22/1996
	6,057,872	5/2/2000	Candelore		7/9/1997
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	6,061,451	5/9/2000	Muratani et al.		9/2/1997
	6,064,748	5/16/2000	Hogan		1/16/1998
	6,065,050	5/16/2000	DeMoney		6/5/1996
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Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 6 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 7 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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Examiner:

Date:

INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 8 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 9 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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Examiner:	Date:
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INFORMATION DISCLOSURE STATEMENT	Application No.: 10/802,007	Sheet 10 of 11
	Docket No.: SNY-T5712.02	Group: 2131
	Filed: 03/16/2004	Conf. No.: 3328
	Applicant: Pedlow et al.	

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